



# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Buswell et al.

Group Art Unit: 3747

Serial No.: 10/633,766

Examiner: Unknown

Filed: 4 August 2003

Docket No.: 234.00010123

Confirmation No.: 5109

Title: INTAKE DEVICE FOR USE WITH INTERNAL COMBUSTION ENGINES

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

We are transmitting the following documents along with this Transmittal Sheet (which is submitted in triplicate):

☒ **Small entity status is entitled to be asserted in the above-identified application.**

☒ An itemized return postcard.

☐ A Petition for Extension of Time for \_\_ month(s) and a check in the amount of \$\_\_ for the required fee.

☒ An Information Disclosure Statement (2 pgs); copies of 0 applications; 1449 forms (3 pgs); and copies of 5 documents cited on the 1449 forms, and a copy of the International Search Report (PCT/ISA/210) issued in the corresponding international application.

☐ A check in the amount of \$\_\_, representing \_\_.

☐ A certified copy of a \_\_ application, Serial No. \_\_, filed \_\_\_\_, the right of priority of which is claimed under 35 U.S.C. §119.

☐ Other: \_\_.

☐ Amendment ☐ No Additional fee is required. ☐ The fee has been calculated as shown:

Fee Calculation for Claims Pending After Amendment					
	Pending Claims after Amendment (1)	Claims Paid for Earlier (2)	Number of Additional Claims (1-2)	Cost per Additional Claim	Additional Fees Required
Total Claims				x \$9 =	
Independent Claims				x \$43 =	
One or More New Multiple Dependent Claims Presented? If Yes, Add \$145 Here →					
Total Additional Claim Fees Required					

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 13-4895.

Triplicate copies of this sheet are enclosed.

**CERTIFICATE UNDER 37 C.F.R. §1.8:** The undersigned hereby certifies that this Transmittal Letter and the paper(s), as described hereinabove, are being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 7<sup>th</sup> day of April, 2004.

MUETING, RAASCH & GEBHARDT, P.A.

Customer Number: 26813

By: 

Name: Mark J. Gebhardt

Reg. No.: 35,518

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PATENT  
Docket No. 234.00010123

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Buswell et al. ) Group Art Unit: 3747  
Serial No.: 10/633,766 ) Examiner: Unknown  
Filed: 4 August 2003 ) Confirmation No.: 5109  
For: INTAKE DEVICE FOR USE WITH INTERNAL COMBUSTION ENGINES

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In compliance with the duty imposed by 37 C.F.R. § 1.56, and in accordance with C.F.R. §§ 1.97 *et. seq.*, the materials enclosed herewith are brought to the attention of the Examiner as possibly being of interest in connection with the above-identified patent application. Per M.P.E.P. § 609, the information cited in the present Information Disclosure Statement shall not be construed to be an admission that the information is, or is considered to be, material to patentability. Consideration of each of the documents listed on the attached 1449 form(s) is respectfully requested. As this patent application was filed after June 30, 2003 copies of the U.S. patents and U.S. patent application publications listed on the attached 1449 form(s) have not been submitted. Pursuant to the provisions of M.P.E.P. § 609, Applicants further request that a copy of the 1449 form(s), marked as being considered and initialed by the Examiner, be returned with the next Official Communication.

Also enclosed is a copy of the International Search Report (PCT/ISA/210) issued in corresponding application PCT/US98/27178 on 1 April 1999.

This application is a continuation of U.S. Patent Application Serial No. 09/753,468, filed 3 January 2001, entitled INTAKE DEVICE FOR USE WITH INTERNAL COMBUSTION ENGINES, which is a continuation application of Serial No. 09/542,966, filed on 4 April 2000, entitled INTAKE DEVICE FOR USE WITH INTERNAL COMBUSTION ENGINES, which is

**Information Disclosure Statement**

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a continuation application of Serial No. 09/115,113, filed on 13 July 1998, entitled INTAKE DEVICE FOR INTERNAL COMBUSTION ENGINE, which is a continuation-in-part of Serial No. 08/993,950, filed on 18 December 1997, entitled INTAKE DEVICE FOR USE WITH INTERNAL COMBUSTION ENGINE. In accordance with 37 C.F.R. §1.98(d), copies of documents previously cited by or submitted to the U.S. Patent and Trademark Office in connection with Applicants' prior application(s) listed above, are not included herewith.

It is believed that no fee is due, as this Information Disclosure Statement is filed prior to the receipt of any Action on the merits. However, in the event a fee is due, please charge any fee or credit any overpayment to Account No. 13-4895.

The Examiner is invited to contact Applicants' Representatives at the below-listed telephone number, if they can be of any assistance during prosecution of the present application.

Respectfully submitted for

Buswell et al.

By

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Facsimile: (612)305-1228

**Customer Number 26813**


**CERTIFICATE UNDER 37 C.F.R. 1.8:**

The undersigned hereby certifies that this paper is being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 7<sup>th</sup> day of April, 2004.

  
Mark Gebhardt

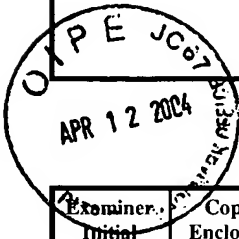
7 April 2004  
Date

By:

  
Mark J. Gebhardt

Reg. No. 35,518

Direct Dial (612)305-1216

**INFORMATION  
DISCLOSURE  
STATEMENT****Atty. Docket No.:** 234.00010123**Serial No.:** 10/633,766**Applicant(s):** Buswell et al.**Confirmation No.:** 5109**Application Filing Date:** 4 August 2003**Group:** 3747Information Disclosure Statement mailed: 7 April 2004**U.S. PATENT DOCUMENTS**

Examiner Initial	Copy Enclosed	Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
		3,458,297	07/29/69	Anderson			
		3,645,243	02/29/72	Ohlsson			
		3,747,581	07/24/73	Kolb			
		3,826,235	07/30/74	Pasbrig			
		3,848,665	11/19/74	Uerlichs et al.			
		4,086,899	05/02/78	Gaylord			
		4,092,966	06/06/78	Prosen			
		4,094,290	06/13/78	Dismuke			
		4,153,029	05/08/79	Ikegaya			
		4,215,663	08/05/80	Gaylord			
		4,711,225	12/08/87	Holderle et al.			
		4,744,340	05/17/88	Kirby			
		4,779,584	10/25/88	Mosler			
		5,094,200	03/10/92	Fontichiaro			
		5,099,808	03/31/92	Matsuura et al.			
		5,392,752	02/28/95	Brogan et al.			
		5,632,145	05/27/97	Hunt			
		5,807,512	09/15/98	Grant			
		5,863,470	01/26/99	Grant			
		6,073,609	06/13/00	Buswell et al.			

**EXAMINER****Date Considered**

\*Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<b>INFORMATION DISCLOSURE STATEMENT</b>	<b>Atty. Docket No.:</b> 234.00010123	<b>Serial No.:</b> 10/633,766
	<b>Applicant(s):</b> Buswell et al.	<b>Confirmation No.:</b> 5109
	<b>Application Filing Date:</b> 4 August 2003	<b>Group:</b> 3747
	Information Disclosure Statement mailed: ____ April 2004	

Examiner Initial	Copy Enclosed	Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
		6,120,007	09/19/00	Grant			
		6,170,460	01/09/01	Buswell et al.			
		6,286,817 B1	09/11/01	Grant			
		6,364,291 B1	04/02/02	Grant			
		6,595,175 B1	07/22/03	Capoferi et al.			
		6,601,562	08/05/03	Buswell et al.			

**FOREIGN PATENT DOCUMENTS**

Examiner Initial	Copy Enclosed	Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No
		728,486	07/06/32	France			X	
		302,410	10/26/32	Italy				X
		600,079	11/26/59	Italy			X	
		WO 81/02764	10/01/81	PCT				
	X	WO 99/31377	06/24/99	PCT				
		SU 1326-755	07/30/87	Soviet Union (including English abstract)				X

**OTHER DOCUMENTS (Including Authors, Title, Date, Pertinent Papers, etc.)**

Examiner Initial	Copy Enclosed	Document Description
		Advertisement, <i>Automotive Performance Wholesalers, Inc.</i> , pg. 30 (August 1997).
		Advertisement, <i>Popular Hot Rodding</i> , pg. 86 (November 1997).
		Advertisement, <i>Popular Hot Rodding</i> , <u>37</u> , pg. 112 (September 1997).

<b>EXAMINER</b>	<b>Date Considered</b>
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	<b>Application Filing Date:</b> 4 August 2003	<b>Group:</b> 3747
	Information Disclosure Statement mailed: ____ April 2004	

Examiner Initial	Copy Enclosed	Document Description
		McFarland, "More Torque on a Budget", <i>Popular Hot Rodding</i> , pgs. 90, 92-93, 105 (September 1997).
		Product Literature, "BG Fuel Systems Oval Track Racing Products", Gold Claw® and Silver Claw®, <a href="http://www.bgfuel.com/productline.com">http://www.bgfuel.com/productline.com</a> (Copyright 1998).
	X	Product Literature, "Demon Carburetion" Barry Grant Inc., <a href="http://www.barrygrant.com/demon/default.aspx?page=4">http://www.barrygrant.com/demon/default.aspx?page=4</a> . Retrieved July 30, 2003. 2 pages
	X	Product Literature, "PowerPlate" Powerdyne Automotive Products, Lancaster, CA. <a href="http://www.powerdyne.com">http://www.powerdyne.com</a> , 4 pages (Copyright 2002) Retrieved 7 April 2004
	X	Product Literature, "Turbonator" Turbonator.com Inc., <a href="http://www.turbonator.com/">http://www.turbonator.com/</a> Retrieved February 19, 2004. 2 pages
	X	Product Literature "VR Velocity Stacks" VaraRam Industries <a href="http://www.vararam.com/">http://www.vararam.com/</a> Retrieved March 15, 2003. 4 pages.

<b>EXAMINER</b>	<b>Date Considered</b>
<p>*Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>	